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GOVERNOR

MATTHEW RODRIGUEZ
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ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

26 October 2012

CERTIFIED MAIL

70121010000331726486

Tim Goodson, President
Calaveras Trout, Farm, Inc.
P.O. Box 111
Snelling, CA 95369

CERTIFIED MAIL

70121010000331726493

Bryan Kelly
Merced Irrigation District
744 W. 20th Street
Merced, CA 95340

NOTICE OF APPLICABILITY; GENERAL WASTE DISCHARGE REQUIREMENTS FOR COLD WATER CONCENTRATED AQUATIC ANIMAL PRODUCTION FACILITY DISCHARGES TO SURFACE WATERS, ORDER R5-2010-0018-01 (CAAP GENERAL ORDER); CALAVERAS TROUT FARM, INC. AND MERCED IRRIGATION DISTRICT, TROUT REARING FACILITY, MERCED COUNTY

Our office received a Report of Waste Discharge on 24 February 2009 and a Notice of Intent with supplemental information for coverage under the CAAP General Order on 29 August 2012 for the Trout Rearing Facility (Facility) from the Calaveras Trout Farm, Inc. and the Merced Irrigation District, which hereafter are jointly referred to as Discharger. California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) staff has determined that the discharge from the Facility meets the required conditions for approval under the CAAP General Order. The Discharger has been assigned CAAP General Order R5-2010-0018-022 and National Pollutant Discharge Elimination System (NPDES) Permit CAG135001. Administrative information for the Facility is provided in Attachment 1, a location map is provided in Attachment 2, and a flow schematic is provided in Attachment 3, which are included as part of this Notice of Applicability (NOA). Please reference CAAP General Order **R5-2010-0018-022** in all your correspondence and submitted documents.

The CAAP General Order is enclosed and may also be viewed at the following web address:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2010-0018-01.pdf

You are urged to familiarize yourself with the contents of the entire CAAP General Order. Facility operations and discharge shall be managed in accordance with the requirements contained in the CAAP General Order, this NOA, and with the information submitted by the Discharger. Attachment C of the CAAP General Order prescribes mandatory monitoring and reporting requirements.

CAAP General Order R5-2010-0018-022 shall become effective when the existing individual NPDES permit for the Facility, Order R5-2004-0119 (NPDES No. CA0081752), is rescinded by a separate action of the Central Valley Water Board, which is scheduled for **6/7 December 2012**.

FACILITY INFORMATION/DISCHARGE DESCRIPTION

The Facility is at 4902 Robinson Road in Snelling, in Section 12, T5S, R14E, MDB&M, as shown in Attachment 2. The Merced Irrigation District owns the property and Calaveras Trout Farm, Inc. owns

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

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and operates the Facility. The Facility is a flow through system that annually produces approximately 480,000 pounds of rainbow trout, 2,000 pounds of brook trout, and 2,000 pounds of German brown. The Discharger projects that in five years that the Facility will annually produce approximately 575,000 pounds of rainbow trout, 2,000 pounds of brook trout, 2,000 pounds of German brown, and 1,000 pounds of white sturgeon.

The Discharger indicated that the Facility uses approximately 58,333 pounds of feed during the maximum month of use and approximately 700,000 pounds annually. Half of the feed is fed through demand feeders and the other half by hand in each raceway depending on the quantity, size, and condition of the fish in the particular raceway. There are two demand feeders in each section of each raceway.

The Discharger uses a 620-foot channel to divert water from the Merced River at the Crocker Huffman dam to the Facility. Four pipes within the 620-foot channel divert water to different sections of the Facility. The first pipe, which is 50 feet from the end of the channel, distributes five cubic feet per second (cfs) to sixteen, 24-foot round cement tanks. The wastewater from the round tanks passes through two settling ponds before it is combined with the remainder of the Facility's wastewater, where it is then discharged to the Merced River. At the end of the 620-foot channel there are three pipes that distribute the water to the rest of the Facility. The first pipe distributes two cfs to one, 600-foot earthen raceway, which is divided into three sections. The second pipe distributes 28 cfs to seven, 600-foot earthen raceways, which are divided into six different sections. The third pipe distributes 15 cfs in the following manner: eight cfs to two, 600-foot earthen raceways, which are divided into three sections and seven cfs to the hatchery. The wastewater from the raceways are combined and treated through seven settling ponds and then combined with the wastewater from the round cement tanks and the hatchery before it is discharged to the Merced River.

The water flow through each settling pond can be diverted to allow for cleaning. The ponds are cleaned twice a year by raking out each pond with a dragline. The removed solids are left on the bank to dry out and then relocated for composting. The composting site is about 800 feet from the Facility. In addition, fish carcasses are removed daily from both the raceways and the hatchery and are typically composted as well. The Discharger states that in the event of a significant problem resulting in a large number of mortalities, a local rendering company is called to haul the mortalities away.

The Discharger indicated the use of the following drugs and chemicals at the Facility: potassium permanganate, hydrogen peroxide, iodine, sodium chloride (salt), florfenicol, oxytetracycline HCL, penicillin G, amoxicillin trihydrate, erythromycin, Romet-30, tricaine methanesulfonate (MS-222), carbon dioxide gas, sodium bicarbonate, acetic acid, chloramine-T, and SLICE (emamectin benzoate).

INTAKE WATER CREDITS

The Discharger submitted a request for intake water credits for copper and lead in the 29 August 2012 Notice of Intent. Ambient receiving water monitoring data for copper and lead exceed the screening levels specified in Attachment H of the CAAP General Order. However, the effluent monitoring data for copper and lead from January 2009 to July 2012 do not exceed the applicable screening levels.

After further discussion with the Discharger, Central Valley Water Board staff and the Discharger agreed that it was not necessary to include intake water credits for lead at this time. There were no reported detections in the effluent from January 2009 to July 2012. Hence, intake credits for lead are not granted in this NOA.

The effluent monitoring data show copper did not exceed the copper screening level, but there were reported detections close to the screening level. The Discharger has demonstrated that the discharge from the Facility meets the conditions for granting intake water credits for copper. The source of the pollutant is the intake from the receiving water (Merced River), which is the same water body that the Facility discharges to. The reported effluent copper concentrations generally do not exceed the corresponding intake copper concentration, and the Discharger does not add copper in the process. Therefore, the water quality-based effluent limitations for copper have been established considering intake water credits.

EFFLUENT LIMITATIONS

Effluent limitations are specified in Section V. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS of the CAAP General Order. **Effective upon the date that Order R5-2004-0119 (NPDES No. CA0081752) is rescinded;** the following effluent limitations are applicable to this discharge and are contained in Sections V.A and V.B of the CAAP General Order:

1. **Total Suspended Solids, Settleable Solids, Formaldehyde, and Chlorine** – The Discharger shall comply with the effluent limitations required in Section V.A.1 (Table 1) for total suspended solids, settleable solids, formaldehyde, and chlorine.
2. **pH** – The Discharger shall comply with the effluent limitations required in Section V.B.1.a for pH.
3. **Total Recoverable Copper** – The Discharger shall comply with the effluent limitations required in Section V.B.3.c for total recoverable copper. An intake water credit has been granted for copper; therefore, compliance with this limitation shall be in accordance with the application of intake water credits in Section V.B.3.d.

MONITORING REQUIREMENTS

The CAAP General Order requires that discharges comply with the Monitoring and Reporting Program that is incorporated as Attachment C to the CAAP General Order. Influent, effluent, and receiving water monitoring requirements are based on the pounds of aquatic animals produced. This Facility is in the category of production more than 100,000 pounds produced per year.

Site-specific monitoring locations for the influent, effluent, and receiving water monitoring are shown in either Attachment 2 (Location Map) or Attachment 3 (Facility Flow Schematic) to this NOA, and as described in the following table:

Monitoring Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
--	INF-001	Location where representative samples of the Facility's influent can be obtained prior to entering the Facility.
001	EFF-001	Location where representative samples of the Facility's effluent can be obtained prior to discharge to the Merced River at Discharge Point-001
--	RSW-001	No more than 750 feet upstream from Discharge Point 001 in the Merced River
--	RSW-002	No more than 650 feet downstream from Discharge Point 001 in the Merced River

Effective upon the date that Order R5-2004-0119 (NPDES No. CA0081752) is rescinded; the Discharger is required to comply with all the Monitoring and Reporting Requirements contained in Attachment C to the CAAP General Order for facilities with production greater than 100,000 pounds per year. A summary of the monitoring requirements is provided below:

1. **Influent Monitoring** – The Discharger shall monitor the influent (INF-001) in accordance with Table C-2 of the CAAP General Order for total suspended solids, settleable solids, pH, electrical conductivity @ 25°C, copper (total recoverable), and hardness.

The Discharger has been granted intake water credits for copper (total recoverable). Therefore, in accordance with CAAP General Order, Attachment C, Section III.C (Influent Monitoring for Facilities with Intake Water Credits), influent monitoring is required for flow and copper (total recoverable). Influent copper (total recoverable) shall be monitored as required in Table C-2. Samples for copper (total recoverable) must be taken simultaneously from the influent and effluent or phased to account for the time that it takes water to travel from the water intake to the discharge point. For every influent sample taken, an effluent sample must be taken. In addition, influent flow shall be monitored **weekly** using either a flow measurement device or method as required by CAAP General Order, Attachment C, Section I.E.

2. **Effluent Monitoring** – The Discharger shall monitor the effluent in accordance with Attachment C, Section IV.A and Table C-4 of the CAAP General Order for flow, total suspended solids, net total suspended solids, settleable solids, net settleable solids, turbidity, pH, electrical conductivity @ 25°C, copper (total recoverable), hardness, formaldehyde, and chlorine.

The Discharger has been granted intake water credits for copper (total recoverable). Therefore, in accordance with CAAP General Order, Attachment C, Section IV.B.3 (Effluent Monitoring for Facilities with Intake Water Credits) the Discharger shall also monitor the effluent for flow and copper (total recoverable). Effluent copper (total recoverable) shall be monitored as required in Table C-4. Samples for copper (total recoverable) must be taken simultaneously from the influent and effluent or phased to account for the time that it takes water to travel from the water intake to the discharge point. For every effluent sample taken, an influent sample must be taken. In addition, effluent flow shall be monitored **weekly** using either a flow measurement device or method as required by CAAP General Order, Attachment C, Section I.E.

3. **Receiving Water Monitoring** – The Discharger shall monitor the receiving water in accordance with Section VIII.A, Section VIII.B (receiving water observations), and Table C-6 of the CAAP General Order for receiving water conditions, dissolved oxygen, temperature, turbidity, pH, electrical conductivity @ 25°C, and hardness.
4. **Land Discharge Monitoring Requirements** – The Discharger shall conduct septic tank maintenance inspections at least once per year and submit the results in the annual report in accordance with Section VI.A. The Discharger shall also conduct leachfield inspections and submit the results in the monthly monitoring report in accordance with Section VI.A.
5. **Other Monitoring Requirements** – The Discharger shall submit a Monthly Drug and Chemical Use Report (Section IX.A) and conduct Priority Pollutant Metals Monitoring (Section IX.B) in accordance with the CAAP General Order, Attachment C. CAAP General Order, Attachment C, Section IX.B requires the Discharger to collect samples for priority pollutant metals at the upstream receiving water and effluent monitoring location. Since intake water credits have been granted for copper, the Discharger shall also collect an influent copper sample when conducting

the priority pollutant metals monitoring. Samples for copper (total recoverable) must be taken simultaneously from the influent and effluent or phased to account for the time that it takes water to travel from the water intake to the discharge point.

The first self-monitoring report (SMR) required under the CAAP General Order is the December 2012 SMR, which shall be submitted by 1 February 2013, if the existing individual NPDES permit for the Facility is rescinded in the December 2012 Central Valley Water Board Meeting. Until then, the Discharger shall continue submitting SMRs required by Order R5-2004-0119.

SATISFACTION OF ANTI-BACKSLIDING REQUIREMENTS

The effluent limitations in this NOA are at least as stringent as the effluent limitations in the previous individual NPDES permit, Order R5-2004-0119.

NOTICE OF APPLICABILITY REQUIREMENTS

The Discharger is hereby authorized to discharge to the Merced River under the terms and conditions of the CAAP General Order. In addition to the requirements contained in the CAAP General Order, the following shall also apply:

1. The discharge from the Facility shall not exceed a monthly average flow of 32 million gallons per day (mgd) during the effective period of the CAAP General Order.
2. The Discharger shall continue to submit Self-Monitoring Reports (SMRs) electronically using the State Water Resources Control Board's California Integrated Water Quality System (CIWQS) Program website (<http://www.waterboards.ca.gov/ciwqs/index.html>). The CIWQS website will provide directions for SMR submittal in the event there will be service interruption for electronic submittal.
3. The State Water Resources Control Board (State Water Board) has determined that individual or general permits for aquaculture activities defined in 40 CFR 122.25(b) will be subject to the same annual fee, which currently is \$1,943 (State Water Board Resolution 2011-0042), but may be subject to change.
4. The CAAP General Order expires on **1 January 2015**, and enrollees will continue to be authorized to discharge until coverage becomes effective under a reissued Order or until Central Valley Water Board staff formally terminates your coverage. Only those CAAP facilities authorized to discharge and who submit a Notice of Intent at least **180 days** prior to the expiration date of Order R5-2010-0018-01 will remain authorized to discharge under administratively continued permit conditions.
5. Provision VII.C.3.a of the CAAP General Order requires that each Discharger must certify within 90 days of the issuance of the NOA that a Best Management Practices (BMPs) plan has been developed and is being implemented as required by Title 40, Code of Federal Regulations, Part 451. Provision VII.C.3.a lists the minimum BMPs that must be included in the BMP plan. By **24 January 2013**, the Discharger shall submit a written certification to the Central Valley Water Board, Fresno Office that satisfies Provision VII.C.3.a of the CAAP General Order.

ENFORCEMENT

Failure to comply with the CAAP General Order and/or this NOA may result in enforcement actions, which could include administrative civil liability. Effluent limitation violations and some late reporting violations are subject to Mandatory Minimum Penalties (MMPs) of \$3,000 per violation [California Water

Code sections 13385(h) and (i)]. If you have no discharge during a monitoring period, you must submit a monthly self-monitoring report indicating that no discharge occurred. You must notify the Central Valley Water Board staff within 24 hours of noncompliance or anticipated noncompliance.

COMMUNICATION

All monitoring reports submittals, notification of non-compliance, and questions regarding compliance and enforcement shall be directed to Jill Walsh of the Central Valley Water Board's Compliance and Enforcement Unit. Jill Walsh can be reached at (559) 445-5130 or at jwalsh@waterboards.ca.gov.

Questions regarding the permitting aspects of your CAAP General Order, and written notification for termination of coverage under the Order, shall be directed to Alexander Mushegan at (559) 488-4397 or at amushegan@waterboards.ca.gov.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resources Control Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Resources Control Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Resources Control Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet or will be provided upon request. The Internet address is:
http://www.waterboards.ca.gov/public_notices/petitions/water_quality.

Original Signed by Clay Rodgers for

Pamela C. Creedon
Executive Officer

Attachments (3): 1) Attachment 1 – Facility Administrative Information
2) Attachment 2 – Location Map
3) Attachment 3 – Facility Schematic

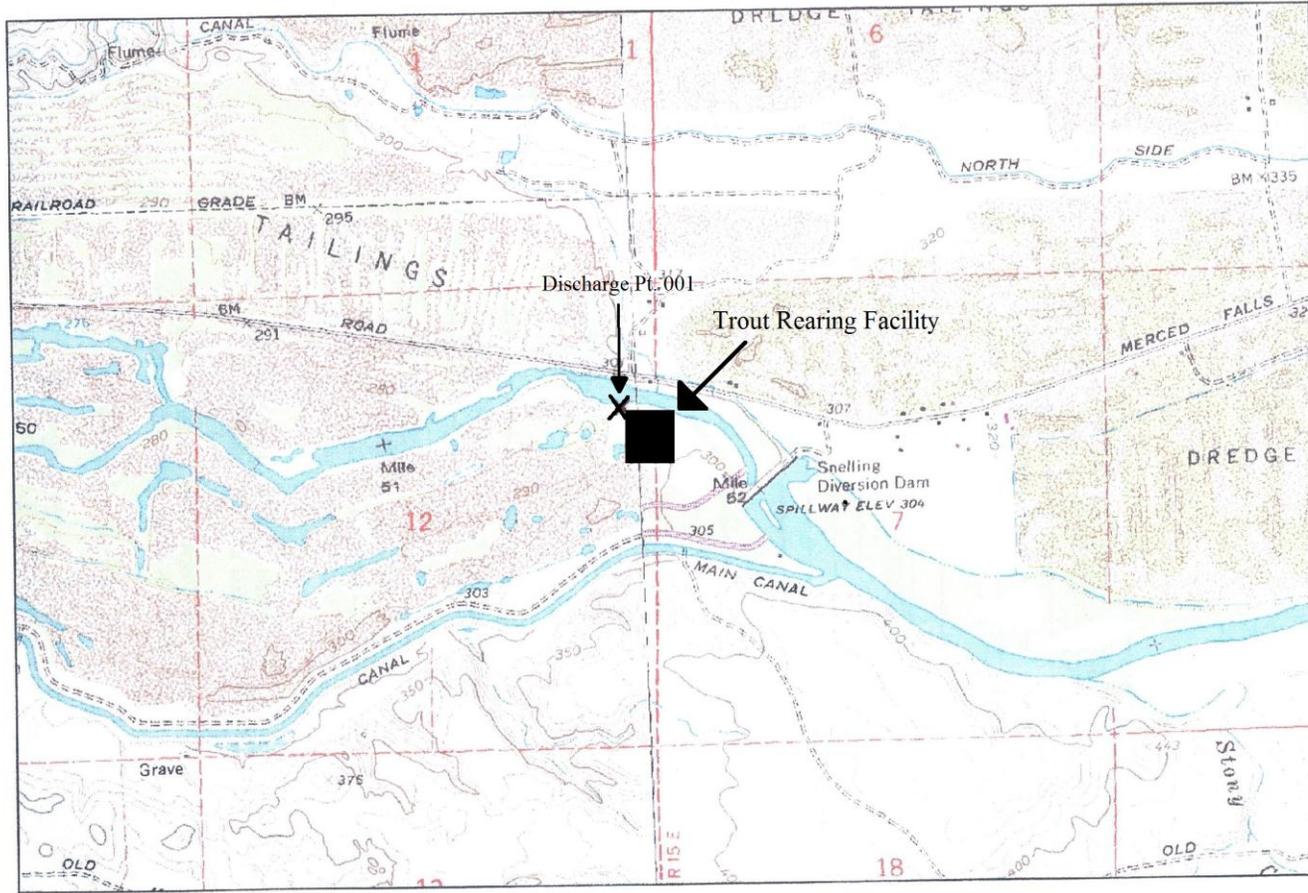
Enclosures (1): 1) CAAP General Order R5-2010-0018-01 (Discharger only)

cc: David Smith, U.S. EPA, Region IX, San Francisco
Philip Isorena, State Water Resources Control Board, Sacramento, CA

ATTACHMENT 1 – FACILITY ADMINISTRATIVE INFORMATION

Name of Facility	Trout Rearing Facility
Type of Facility	Cold Water Aquaculture Facility, SIC Code 0921
WDID	5C242001001
General Order NOA Enrollee Number	R5-2010-0018-022
Discharger	Calaveras Trout Farm, Inc. (Facility Operator) and Merced Irrigation District (Property Owner)
Facility Address	4902 Robinson Rd Snelling, CA 95369
Land Owner (Address)	Merced Irrigation District 744 West 20 th Street Merced, CA 95340 (Contact: Bryan Kelly 209-722-5761 ext. 2810)
Facility Contact, Title and Phone	Tim Goodson, President 209-563-6576
Authorized Person(s) to Sign and Submit Reports	Tim Goodson, President Stacey Goodson, Secretary Steven Silva, Manager
Mailing Address and Billing Address	Calaveras Trout Farm, Inc. P.O. Box 111 Snelling, CA 95369 (Contact: Tim Goodson)
Total Weight Produced (Annual)	484,000 lbs
Major or Minor Facility	Minor
Threat to Water Quality	2
Complexity	B
Facility Permitted Flow	32 million gallons per day (mgd)
Watershed	San Joaquin River Basin
Receiving Water	Merced River
Receiving Water Type	Inland surface water

ATTACHMENT 2 – LOCATION MAP



SITE LOCATION MAP

Calaveras Trout Farm, Inc. and
Merced Irrigation District
Trout Rearing Facility
Merced County
Seciton 12 T5S, R14E, MDB&M



ATTACHMENT 3 – FACILITY FLOW SCHEMATIC

CALAVERAS TROUT FARM, INC.

A	ROUND TANKS
B	GROW OUT RACEWAYS
C	HATCHERY
D	SETTLING PONDS
E	FEED BINS

